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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/904,271	07/11/2001	Hawley K. Rising III	020699-002500US	2025
20350	7590	12/13/2004	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834				HANEY, MATTHEW J
ART UNIT		PAPER NUMBER		
		2613		

DATE MAILED: 12/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/904,271	RISING ET AL.	
	Examiner	Art Unit	
	Matthew Haney	2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
 THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-29 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-5, 7, 10-14, 16, 19-24, 27 and 28 is/are rejected.
- 7) Claim(s) 6, 8, 9, 15, 17, 18, 25, 26 and 29 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____ .

DETAILED ACTION

Allowable Subject Matter

1. Claims 6, 8-9, 15, 17-18, 25-26, and 29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5, 7, 10-14, 16, 19-24, and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davidson (US 6,083,276) in view of Huang (US 6,593,936).

As for claims 1, 4, 10, and 13, Davidson teaches of receiving, by the first client, the binary communication of the first ADL; translating, by the first client, the binary communication into the first ADL, and an XSLT (XML-style translation) document for translating MPEG-7 DDL into the first ADL (Column 6, Lines 39-58). Davidson does not explicitly teach of the binary communication being translated using a frequency table as well, however, Huang does (Note: Huang teaches of the use of MPEG-7 to describe the multimedia content of an MPEG-4 datastream and since the MPEG-7 data is located with the audiovisual material it is encoded and decoded the same way, therefore it is inherent that a frequency table will be needed with use in a VLC (Variable Length Coder))

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or VLD (Variable Length Decoder) or Huffman coder, Column 5, Lines 62-67 and Column 6, Lines 1-54). It would have been obvious to one of ordinary skill in the art at the time of the invention to use a frequency table along with the xslt document because the ADL file needs the MPEG-7 data carried in the multimedia data stream (MPEG-4) in order to decode the descriptors coded into the ADL file and in order to obtain the MPEG-7 data a VLD must be used to decode the multimedia data stream and a VLC must be used to code the ADL into the binary stream.

As for claims 2 and 11, Davidson does not explicitly teach of generating the first ADL from the MPEG-7 DDL, however, it would have been obvious to one or ordinary skill in the art at the time of the invention because the ADL is simply a specific set of DDL's (i.e. a group of description schemes) that are specific to an application. (Official Notice)

As for claims 3 and 12, Davidson teaches of generating, by the server, the XSLT document (Column 6, Lines 39-49).

As for claims 5 and 14, Davidson does not explicitly teach of downloading the frequency table and the XSLT document prior to receiving the binary communication, however, Huang does (Column 6, Lines 48-54). It would have been obvious to one of ordinary skill in the art at the time of the invention to have the frequency table and XSLT document stored remotely in order to allow for lower bandwidth use so that all communications do not have to occur at once.

As for claims 7 and 16, Davidson does not explicitly teach of communication information carried by the binary communication to a second client via the server,

however, Huang does (Column 12, Lines 64-67 and Column 13, Lines 1-25). It would have been obvious to one of ordinary skill in the art at the time of the invention to allow the binary communication to be sent to multiple clients in order for multiple users to access or see the data at the same instance.

As for claims 19 and 24, Davidson does not explicitly teach of communication information carried by the binary communication to a second client via the server, however, Huang does (Column 12, Lines 64-67 and Column 13, Lines 1-25). It would have been obvious to one of ordinary skill in the art at the time of the invention to allow the binary communication to be sent to multiple clients in order for multiple users to access or see the data at the same instance.

As for claims 20-23 and 27, most of the limitations of the claim have been discussed in the above rejection of claim 19. Davidson teaches of translating, by the first client, the binary communication into the first ADL, and an XSLT (XML-style translation) document for translating MPEG-7 DDL into the first ADL (Column 6, Lines 39-58). Davidson does not explicitly teach of the binary communication being translated using a frequency table as well, however, Huang does (Note: Huang teaches of the use of MPEG-7 to describe the multimedia content of an MPEG-4 datastream and since the MPEG-7 data is located with the audiovisual material it is encoded and decoded the same way, therefore it is inherent that a frequency table will be need with use in a VLC (Variable Length Coder) or VLD (Variable Length Decoder) or Huffman coder, Column 5, Lines 62-67 and Column 6, Lines 1-54). It would have been obvious to one of ordinary skill in the art at the time of the invention to use a frequency table along with

the xslt document because the ADL file needs the MPEG-7 data carried in the multimedia data stream (MPEG-4) in order to decode the descriptors coded into the ADL file and in order to obtain the MPEG-7 data a VLD must be used to decode the multimedia data stream and a VLC must be used to code the ADL into the binary stream.

As for claim 28, most of the limitations of the claim have been discussed in the above rejection of claim 27. Davidson does not explicitly teach of downloading the frequency table and the XSLT document prior to receiving the binary communication, however, Huang does (Column 6, Lines 48-54). It would have been obvious to one of ordinary skill in the art at the time of the invention to have the frequency table and XSLT document stored remotely in order to allow for lower bandwidth use so that all communications do not have to occur at once.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew Haney whose telephone number is 703-305-4915. The examiner can normally be reached on M-Th (7-4:30), Every Other Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 703-305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Matthew Haney
Examiner
Art Unit 2613

mjh



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